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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Colombia*

A. Purpose and general obligations (arts. 1-4)

1. Please provide information on measures to bring legislation into line with the Convention in all areas of law and to remove derogatory language regarding persons with disabilities.

2. Please describe the content of the National Policy on Disability and Social Inclusion. Was it adopted after consulting organizations of persons with disabilities?

3. Please provide information on the methodologies and concepts used in the Register for the location and characterization of persons with disabilities (Disability Register) and on steps to update it.

B. Specific rights

Article 5
Equality and non-discrimination

4. Please describe the administrative, legislative and other measures taken by the State party to combat discrimination on the grounds of disability, including denial of reasonable accommodation and multiple and intersectional structural discrimination. Please state whether the denial of reasonable accommodation is considered to be a form of discrimination under Act No. 1752 of 2015.

Article 6
Women with disabilities

5. Please explain how women with disabilities are encompassed in broader policies on gender equality and protection for women and how the High Presidential Council for Women's Equity ensures the participation of women with disabilities.

* Adopted by the pre-sessional working group at its fifth session (21-24 March 2016).

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Article 7
Children with disabilities

6. Please describe the support measures provided by the Colombian Family Welfare Institute for poor families with children with disabilities and provide statistics on the children covered by the Institute's strategies. Please indicate what measures are being taken to prevent the abandonment of children with disabilities and to protect and return to their homes those who have been institutionalized.

Article 9
Accessibility

7. Please indicate whether there is a plan in place for the progressive implementation of Act No. 1618 of 2013 with respect to the accessibility of public transport, roads, airports and terminals, with targets, indicators and penalties for non-compliance, and report on the progress achieved thus far. Please also outline the measures taken to make information and communications accessible, especially in public areas.

Article 11
Situations of risk and humanitarian emergencies

8. Please provide information on measures taken to facilitate the identification of persons with disabilities who have been victims of the armed conflict and to protect displaced persons with disabilities, facilitate their recovery and provide them with compensation and psychosocial assistance in keeping with the Convention. Please indicate how a gender perspective has been included in these measures.

Article 12
Equal recognition before the law

9. Please give an account of the measures being taken to bring the Civil Code into line with article 12 of the Convention and to replace substitute decision-making systems with recognition of full legal capacity and supported decision-making systems. Please also state what measures will be taken to restore the full legal capacity of persons under judicial interdiction.

Article 13
Access to justice

10. Please supply information on steps taken to ensure the procedural accommodations needed in order to guarantee that persons with disabilities have access to justice and can perform their effective role in all legal proceedings.

Article 14
Liberty and security of the person

11. Please provide disaggregated data on persons with disabilities, especially intellectual or psychosocial disabilities, who have been placed without their consent in psychiatric institutions or foster care.

12. Please provide information on persons with disabilities who have been declared not criminally responsible and on the measures taken by the State party to repeal legal provisions that restrict the guarantees of due process for persons with disabilities.

Article 15
Freedom from torture or cruel, inhuman or degrading treatment or punishment

13. Please indicate whether the national legislation prohibiting torture covers restrictive and/or forced psychiatric treatment and whether it provides for the establishment of a monitoring mechanism to prevent torture.

Article 16
Freedom from exploitation, violence and abuse

14. Please provide information on specific measures to protect, through legislation, legal aid and psychosocial programmes, children, women and men with disabilities who are victims of violence, abuse or exploitation, including of begging. Please also report on the accessibility of temporary shelters for women victims of violence.

Article 17
Protecting the integrity of the person

15. Please comment on reports received by the Committee that, in the State party, publicly funded sterilization procedures are performed on persons with disabilities without their free and informed consent and say what measures are taken to prohibit this practice. Please provide information on measures taken to prohibit forced medical treatment and interventions, especially psychiatric treatment and interventions carried out without free and informed consent.

Article 19
Living independently and being included in the community

16. Please describe the measures adopted to deinstitutionalize persons with disabilities and integrate them in the community, as well as any support programmes and resources that promote their independence and autonomy.

Article 23
Respect for home and the family

17. Please indicate what measures have been adopted to ensure that persons with disabilities can exercise their right to marry and retain their fertility so that they may exercise their reproductive rights.

Article 24
Education

18. Please provide information on the percentage of persons with disabilities who are in segregated centres or classrooms compared with that of persons with disabilities in mainstream schools at the various levels of education. Please say what progress has been made in the transition of the education system towards inclusiveness.

Article 25
Health

19. Please indicate whether health services, particularly sexual and reproductive health services, including those relating to HIV/AIDS, are accessible for persons with disabilities, and in particular for persons with intellectual, psychosocial or multiple disabilities, in both urban and rural areas.

Article 27
Work and employment

20. Please supply information on the steps taken by the State party to promote the formal employment of persons with disabilities and on the percentage of employed persons with disabilities, disaggregated by sex, disability and geographical location. Please also describe the steps taken to ensure the provision, in practice, of reasonable accommodation in the workplace.

Article 28
Adequate standard of living and social protection

21. Please state the number of persons with disabilities who have been provided with social housing and how the accessibility of such housing is ensured.

22. Please provide information on the number of persons with disabilities living in poverty, disaggregated by sex, disability, ethnicity and geographical location, on measures to include them in poverty-reduction strategies and programmes, and on subsidy or social assistance programmes to reduce the impoverishing effect of disability on families.

Article 29
Participation in political and public life

23. Please say what measures have been adopted to ensure that all persons with disabilities can exercise their right to vote, hold public office and take part in elections.

C. Specific obligations

Article 31
Statistics and data collection

24. Please indicate whether the National Household Survey, the National Population and Housing Census and the Demographic and Housing Census are designed and carried out using a human rights approach and the extent to which persons with disabilities are involved in these processes, through the organizations representing them. Please also indicate the degree of harmonization among public registers and information systems, including the Victims Programme and the National Disability Observatory.

Article 32
International cooperation

25. Please describe the measures adopted to mainstream the rights under the Convention in the roll-out of national plans for the implementation and monitoring of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, outlining the steps taken to ensure that organizations of persons with disabilities are effectively engaged in these processes.

Article 33
National implementation and monitoring

32. Please describe the role played by each of the bodies that make up the independent mechanism to monitor implementation of the Convention and explain how their work is coordinated. Please also describe the involvement of organizations of persons with disabilities.